

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

PERMIAN AUTO GROUP, LLC.

Plaintiff,

v.

No. CIV 18-1002 RB/CG

FIRST CHOICE AUTO MANAGEMENT, LLC.

Defendant.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court upon review of the record. Plaintiff filed a *Praecipe seeking Clerk's Entry of Default*, (Doc. 6), on February 2, 2019. The Clerk granted Plaintiff's request and submitted an *Entry of Default* pursuant to Federal Rule of Civil Procedure 55(a) on February 11, 2019. (Doc. 8). The Federal Rules of Civil Procedure require that in addition to seeking an entry of default by the Clerk's office, Plaintiff must apply to the Court for a default judgment under Rule 55(b). Plaintiff has not taken any action in this case since the February 11, 2019 entry of default. Local Rule 41.1 states: "A civil action may be dismissed if, for a period of ninety (90) days, no steps are taken to move the case forward." D.N.M. LR-41.1.

IT IS THEREFORE ORDERED that, on or before **May 20, 2019**, Plaintiff shall file a notice with the Court stating why this case should not be dismissed for failure to prosecute or Plaintiff shall file the appropriate motion in accordance with the Federal Rules.



THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE